IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

O R D E R

S.B.CRIMINAL MISC. PETITION NO. 319/2005
(Mahendra Kumar Vs. State of Rajasthan & Ors.)

Date of Order : 18/07/2006

PRESENT

HON'BLE MR. JUSTICE H.R.PANWAR

Mr. Arjun purohit for the petitioner.
Mr. Ashok Upadhyay, public prosecutor for the State.
Mr. S.P.Arora for the non-petitioners No. 2 and 3.

BY THE COURT:-

Heard learned counsel for the parties.

The only grievance of the learned counsel for the petitioner is that by order dated 3.12.2004 while granting interim maintenance in favour of the non-petitioners No. 2 and 3, the Family Court, Jodhpur granted the interim maintenance from the date of application without assigning any reason.

This controversy stands concluded by a Division Bench decision of this Court in Smt. Savita Sharma Vs. Shri Krishan Murari 1990 (1) RLR 400, wherein the Division Bench

held that the maintenance should be granted from the date of application. In this view of the matter, the contention raised by the counsel for the petitioner cannot be accepted.

The petition has no force and is dismissed accordingly. Stay petition also stands dismissed.

(H.R.PANWAR),J.

rp